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notifying an attendee of the appointment, if it is determined that the user will be late for the appointment; and

receiving a response from the attendee, the response including a proposal for a new time for the appointment.

35. (Newly added) The method of claim 34 wherein the recited steps are performed by a PDA.--

REMARKS

A. Introduction

Claims 1-9, 12-23 and 29-33 were rejected under 35 U.S.C. § 103(a) as being rendered obvious by the combination of U.S. Patent No. 5,400,020 ("Jones") and U.S. Patent No. 4,977,520 ("McGaughey").

Claims 10-11 and 24-28 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Jones and U.S. Patent No. 5,790,974 ("Tognazzini").

Claims 34 and 35 have been added. Claims 1, 16-19, 24, 30-32 have been amended to more particularly point out and more distinctly claim the subject matter claimed. No claims have been canceled. Thus, claims 1-35 are pending.

B. There is no Motivation to Combine Jones and McGaughey

Combining references to reject an application under 35 U.S.C. § 103(a) requires a proper suggestion or motivation to combine or modify the references. MPEP 2143.01. In particular, the prior art must suggest the desirability of the claimed invention. *Id.* No such disclosure is made in either Jones or McGaughey.

Jones generally discloses a system for notifying persons of the impending arrival of a transportation vehicle. Jones states that:

[I]t would be desirable for a passenger to know when a vessel, such as a bus, train, plane, or the like, is a particular time period (number of minutes or seconds) from arriving at a destination so that the passenger can adjust his/her schedule and avoid arriving too early or late.

Jones at many other sections emphasizes that the motivation for its disclosure is the notification of passengers of the time of arrival of a vehicle. See, e.g., col. 2, lines 14-19. No disclosure or suggestion in Jones is made of the desirability of or need for notifying the vehicle regarding the passenger. Thus, no disclosure is made of the desirability of any feedback concerning a scheduled appointment that can alter the original parameters of the appointment. Thus, there is no suggestion in Jones to combine the disclosure of McGaughey.

McGaughey generally discloses a calendaring method on network including an interface at a user terminal displaying a received request for a meeting together with options for the user to respond. The user may assent to the request, in which case the user's calender is updated and a reply to that effect is sent back to the requestor of the meeting.

There is no disclosure in McGaughey for the desirability of a vehicle arrival notification system. McGaughey only discloses a calendaring system and interface across a network of terminals that enables a user at a terminal to receive a request for a meeting and to conveniently determine conflicts in his/her schedule and to accept or reject the request. There is no analogous concept of a "conflict" in a schedule in Jones. Moreover, there is no suggestion or disclosure to modify the network of terminals in McGaughey to obtain a notification system for a transportation vehicle. Therefore, there is not suggestion or disclosure in McGaughey to combine the disclosure in Jones.

For the reasons stated above, there is no proper suggestion to combine Jones and McGaughey. Thus, claims 1-33 (before any of the amendments made herein) were improperly

rejected based on the combination of Jones and McGaughey, and are allowable. The claims as amended and new claims 34-35 are also allowable for the same reasons.

C. The Claims are not Obvious in Light of the Cited Art

Claims 1, 16-19, 24, 30-32 have been amended to more particularly point out and more distinctly claim the subject matter claimed. Each of amended claims 1, 16-19, 24, 30-32 recite that the response of the attendee changes the time of the appointment. New claim 34 recites that the response includes a proposal for a new time for the appointment. None of these features are suggested or disclosed by any of the cited references. In particular, McGaughey does not suggest or disclose this element; McGaughey at col. 4, lines 51-53 merely states that it discloses a way of “replying to electronic meeting notices.” Moreover, as col. 7, lines 26-30 of McGaughey makes clear, the only disclosure in connection with such a reply is that it states an intention to attend a meeting. Thus, there is no suggestion or disclosure of either changing the time of an appointment and/or proposing a new time. The presence of this element allows great flexibility to users of the system in the present application for dynamically and automatically rescheduling meetings. Because no suggestion or disclosure of this element is made in any of the cited references, claims 1, 16-19, 24, 30-32 are not obvious under 35 U.S.C. § 103(a) in light of the cited references. Thus, these claims should be allowed.

New claim 34 recites that the response from the attendee includes a proposal for a new time for the appointment. None of the cited references suggest or disclose this element. Therefore, claim 34 is also not obvious under 35 U.S.C. § 103(a) in light of the cited references, and should be allowed.

Each of dependent claims 2-15, 20-23, 25-29, 33 and 35 depends from one of claims 1, 16-19, 24, 30-32 and 34, which have been shown to be allowable. Therefore, claims 2-15, 20-23, 25-29, 33 and 35 should also be allowed.

D. Art Should be Cited for Official Notice Taken

In the Office Action, the Examiner took official notice for the propositions that it is old and well known that:

- replacing the telephone with e-mail messages for notification would provide another means of communication in a scheduling system;
- a scheduling unit as disclosed in the present application would be coupled to the schedule database;
- location information is calculated from an automatic identification number in a scheduling system;
- adjusting travel velocity based on weather information, for purposes of determining, in the scheduling system, whether the user will be late for the appointment;
- adjusting travel velocity based on airline information, for purposes of determining, in the scheduling system, whether the user will be late for the appointment.

The Applicants traverse these assertions based on the fact that none of these propositions in connection with scheduling systems as disclosed in the present application was known to those skilled in the art *at the time of filing of the present application*. Therefore, the Applicants respectfully request the Examiner to cite references in the prior art for these propositions.

E. Conclusion

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "**Version with Markings to Show Changes Made.**"

It is respectfully submitted that the foregoing remarks demonstrate that the application is in condition for allowance and notification to this effect is hereby solicited. The Examiner is invited to contact the undersigned at (202) 220-4200 to discuss any matter concerning this application.

The Office is authorized to charge any fees associated with this Amendment under 37 C.F.R. §§ 1.16 or 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON

Date: 4/4/01

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Version with Markings to Show Changes Made

Claims 1, 16-19, 24, 30-32 have been amended as follows:

1. (Twice amended) A method for managing a scheduling system, comprising the steps of:

receiving information about an appointment from a user;

receiving information about an attendee associated with the appointment, including attendee notification information;

determining meeting status information;

automatically generating an attendee notification message using the attendee notification information based on the meeting status information; and

receiving a response to the attendee notification message from an attendee, the response changing the time of the appointment.

16. (Twice amended) A scheduling system, comprising:

a scheduler database for storing information about an appointment and information about an attendee associated with the appointment, including attendee notification information; and

a scheduling unit coupled to said scheduler database and configured to determine if a user will be late for the appointment, said scheduling unit being further configured to (i) send an attendee notification message to the attendee using the attendee notification information when the user will be late for the appointment, and (ii) receive a response from the attendee to the attendee notification message, the response changing the [information about] time of the appointment.

17. (Twice amended) An apparatus to manage a scheduling system, comprising:
means for receiving information about an appointment from a user;
means for receiving information about an attendee associated with the appointment,
including attendee notification information;
means for determining if the user will be late for the appointment; and
means for sending an attendee notification message to the attendee using the attendee
notification information when the user will be late for the appointment, and
means for receiving a response from the attendee to the attendee notification message, the
response changing the time of the appointment.

18. (Twice amended) An article of manufacture comprising a computer-readable medium
having stored thereon instructions adapted to be executed by a processor, the instructions which,
when executed, define a series of steps to manage a scheduling system, cause a series of steps to
be performed, said steps comprising:

receiving information about an appointment from a user;
receiving information about an attendee associated with the appointment, including
attendee notification information;
determining if the user will be late for the appointment;
sending an attendee notification message to the attendee using the attendee notification
information when the user will be late for the appointment, and
receiving a response from the attendee to the attendee notification message, the response
changing the [information about] time of the appointment.

19. (Twice amended) A method for managing a scheduling system, comprising the steps of:

receiving information about an appointment, including appointment time information and appointment location information, from a user;

receiving user location information;

determining if the user will be late for the appointment based on the user location information, the appointment location information, the appointment time information and a time associated with the user location information; and

receiving a response from an attendee of the appointment, the response changing the [information about] time of the appointment .

29. (Twice amended) A scheduling system, comprising:

a scheduler database for storing information about an appointment, including appointment time information and appointment location information;

a location determination unit configured to output user location information; and

a scheduling unit coupled to said scheduler database and said location determination unit, said scheduling unit being configured to (i) determine if a user will be late for the appointment based on the user location information, the appointment location information, the appointment time information and a time associated with the user location information (ii) receive a response from an attendee of the appointment, the response changing the [information about] time of the appointment .

30. (Twice amended) An apparatus to manage a scheduling system, comprising:

means for receiving information about an appointment, including appointment time information and appointment location information, from a user;

means for receiving user location information;

means for determining if the user will be late for the appointment based on the user location information, the appointment location information, the appointment time information and a time associated with the user location information; and

means for receiving a response from an attendee of the meeting, the response changing the [information about] time of the appointment .

31. (Twice amended) An article of manufacture comprising a computer-readable medium having stored thereon instructions adapted to be executed by a processor, the instructions which, when executed, define a series of steps to manage a scheduling system, said steps comprising:

receiving information about an appointment, including appointment time information and appointment location information, from a user;

receiving user location information;

determining if the user will be late for the appointment based on the user location information, the appointment location information, the appointment time information and a time associated with the user location information; and

receiving a response from an attendee of the appointment, the response changing the time of the appointment, if it is determined that the user will be late for the appointment.

32. (Twice amended) A method for managing a scheduling system, comprising the steps of:

determining meeting status information based on information about an appointment and information about a user;

automatically generating an attendee notification message, using stored attendee notification information, based on the meeting status information;

receiving a response from an attendee of the appointment to the attendee notification message, the response changing the time of the appointment.